

IN THE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AARON J. RAMBO,)
Petitioner,) CASE NO.: 04-CV-12669-EFH
v.)
DAVID WINN, as Warden of FMC)
Devens, and JOHN ASHCROFT, as)
Attorney General of the United States,)
Defendants.)

RESPONDENT'S MOTION TO DISMISS

The respondents, David L. Winn, Warden, the Federal Medical Center at Devens, and John Ashcroft, Attorney General of the United States, hereby move to dismiss Petitioner Aaron Rambo's Petition for Writ of Habeas Corpus in its entirety.

Respectfully submitted,

By their attorney,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3369

Dated: February 24, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this 24th day of February 2005, served upon the persons listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Matthew H. Feinberg, Esq. and Matthew A. Kamholtz, Esq., FEINBERG & KAMHOLTZ, 125 Summer Street, Boston, MA 02110

/s/ Gina Walcott-Torres
Gina Walcott-Torres
Assistant United States Attorney

REQUEST FOR WAIVER OF LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby requests a waiver of the requirements of Local Rule 7.1(A)(2). As reasons therefore, she asserts that the plaintiff, who is acting pro se, is incarcerated at the Federal Medical Center in Devens, Massachusetts.

/s/ Gina Walcott-Torres
Gina Y. Walcott-Torres
Assistant United States Attorney